

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN ROBERT ARMER,

Defendant.

CASE NO. CR14-5294BHS

ORDER

This matter comes before the Court on the Defendant's unopposed motion for an order continuing the trial date. The Court, having considered the motion, the affidavit of defense counsel Linda Sullivan in support of the motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Defense counsel needs additional time to review voluminous discovery, perform its own independent investigation, including possibly hiring experts, and conduct legal research prior to choosing and filing pretrial motions and undertaking trial preparation.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
4 3161(h)(7)(B)(iv).

5 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
6 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

7 5. The ends of justice served by granting this continuance outweigh the best interests of
8 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

9 6. Defendant waived speedy trial through November 30, 2014.

10 NOW, THEREFORE, IT IS HEREBY ORDERED

11 That the trial date is continued from September 2, 2014, to November 4, 2014, at 9:00
12 a.m. Pretrial Conference is set for October 27, 2014, at 2:30 p.m. Pretrial motions are due by
13 September 25, 2014. The resulting period of delay from August 21, 2014, to November 4, 2014,
14 is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

15 Dated this 21st day of August, 2014.

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BENJAMIN H. SETTLE
United States District Judge